

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|  |   |              |
|--|---|--------------|
| BRENDA DAVIES, Personal                  | ) | 4:08cv03203  |
| Representative of the Estate of Duane E. | ) |              |
| Davies, Deceased,                        | ) |              |
|  | ) |              |
| Plaintiff,                               | ) |              |
|  | ) |              |
| vs.                                      | ) | <b>ORDER</b> |
|  | ) |              |
| BNSF RAILWAY COMPANY, a                  | ) |              |
| Delaware Corporation, and BOX BUTTE      | ) |              |
| COUNTY, Nebraska (for purposes of        | ) |              |
| apportionment only),                     | ) |              |
|  | ) |              |
| Defendants.                              | ) |              |

This matter is before the court on Defendant BNSF's motion (filing [28](#)) to extend the deadlines in the court's order of May 6, 2009 (filing [27](#)), for filing motions to dismiss and/or summary judgment, which is currently June 15, 2009, and Defendant's disclosure of experts, which is currently June 29, 2009.

**IT IS ORDERED:**

1. Defendant BNSF's motion to extend (filing [28](#)) the deadlines in the court's order of May 6, 2009 (filing [27](#)), for filing motions to dismiss and/or summary judgment, and for Defendant's disclosure of experts is granted;

2. Defendant BNSF shall have until August 14, 2009, to file a motion to dismiss and/or summary judgment, and Defendant shall disclose experts on or before August 28, 2009.

DATED this 16<sup>th</sup> day of June, 2009.

BY THE COURT:  
*s/ Richard G. Kopf*  
United States District Judge